AFFIDAVIT OF CLERK OF COURT POSTING OF NOTICE OF GARNISHMENT

IN THE CIRCUIT COURT OF TALLADEGA COUNTY, ALABAMA

Merchants Finance vs. Willie DiNeal
CASE NUMBER: # 74 - SM - SOH - IDD354
I hereby make oath that I have posted a copy of the Process of Garnishment on a judgement in which an appearance has not been entered for the Defendant and which was served on the above-named Defendant and was returned not found or not otherwise accomplished.
The back of this Process of Garnishment contains a Notice to Defendant of Right to Claim Exemption from Garnishment which informs the Defendant that the Process of Garnishment was delivered to him or her, meaning that the Court may order his or her wages, money in a bank, sums owed to him or her, or other property belonging to him or her, to be paid into the Court to satisfy a judgement against him or her. Additionally, the Notice provides that, If the Defendant does not file a claim of exemption, his or her property may be turned over to the Court and to the Plaintiff on the judgment against him or her, and to protect his or her rights, it is important that the Defendant act promptly. The Notice also provides that, if the Defendant has any questions, he or she should contact a lawyer.
The dates that this Process of Garnishment were posted: Object, policy, policy, policy, policy
The date of the mailing of the posted copy of the Process of Garnishment to the Defendant:
Brian York, Circuit Cierk
6-6-2-3
Date
Sworn to and Subscribed before me this the 6 day of June 2023
Satty howaget Notary Public
Name of Notary Public My commession expires My commession expires My commession expires My commession expires

State of Alabama Unified Judicial System Form C-11 (Front Rev. 7/2017

PROCESS OF GARNISHMENT

Case Number 74-SM-04-100354

C-11 (Front) Rev. 7/2017		
IN THE SMALL CL	AIMS COURT OF TALLADEGA	COUNTY, ALABAMA TNAME AND ADDRESS OF DEFENDANT (Person Whose Property
MAME AND ADDRESS O	F PLAINTIFF (Persons Asserting Claim):	NAME AND ADDRESS OF CErtain Annual Control of Control o
MERCHANTS FINANCE I SAME AS PLAINTIFF'S A	TTORNEY'S ADDRESS	WILLIE ONEAL
DAME NO LEMISSION AN	F. I. W. C. J. S. Seller J. Ville A. Vander Start J. Ville J. Vill	1035 13th Ave. NW, Childenburg. AL 35044 SSN 5882
The state of the s		DATE OF JUDGMENT: 12/3/2004
NAME AND ADDRESS C Schwartz & McClure, LLC	F ATTORNEY FOR PLAINTIFF:	JUDGMENT AMOUNT: \$ \$802.54
1809 Richard Arrington Jr.	. Blvd. South	INTEREST: \$ \$1.967.47
Birmkruhern, Al. 35205	· Mar who is Mark 25 and 1972 & Services	COSTS: \$ 3282.97
NAME AND ADDRESS (Farmlinks at Pursell Farm	JF GARNIONCE:	LESS CREOT: \$ \$352.51
Attn: Payroll		OTHER: \$
386 Telladega Springs Ro	i.	TOTAL: \$ \$2,798.57
Sylecauga, AL 35151		WIAL & MARKET MA
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or has or will have	AG BUCCE Of BIG DEIBUGBLE WINDS X to Resultan.	the first state of the state of
B. If the gamishme	unt is for wages, salary or other compensation	on, I further make eath that the amount to be withheld must be: mount by which disposable earnings for the week exceed 30 times the
i _≕n 25% of d	ISOCSODE CSUMDA IN HIS MACH ALL HIS IN	223 1 2) DEVENOUS (1)
Z federal m	Isposable earnings for the week OR the au	earnings are payable, WHICHEVER IS LESS, which amount is in
federal m	linkwam hourly wads in ellect at the mile	Athie from
compilary	ce with the instructions on the reverse side of at disbursement of amounts periodically paid	Into Court pursuant to this gamishment
C. I nerecy reques	ubscribed before me this	
1	Packalent 2019	
day of		
Notary Publicit	Herk (Signature) Rapi DACE	Affiany Atterney (Signature)
163 mil 1	The same of the sa	GARNISHMENT
TO ANY AMENEODO	All the second of the second o	\$ \$\$\$ 6 AB \$.
You are hereby con	nmanded to serve this Process of Garnishm	(Bionia of Carried and
į.	nderi, Willie O'NEAL	and make proper
a a thirt of the could		The same of the sa
NOTICE TO DEFENDA	NT: READ THE IMPORTANT INFORMATI	ON ON THE BACK OF THIS FORM (Regarding your Rights).
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	e a proprieta de la compania del compania de la compania del compania de la compania del la compania de la compania del la compania de la com	The second secon
Court at the address be	r judgment against you for the amount of the score of the	In the Court. YOU MUST ANSWER: time you received this process, or when you make your answer, or during
(1) Whether you are	of Am be meened to me activities as a	
(2) Whether you will	ime, or I be indebted to the defendant in the future b	y existing contract, or
(2) Membership St. St. St.	and course and sie ason in the new con-	A At A A A A A A A A A A A A A A A A A
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I named a since deter many	SAMIL WILL TO ORAD WE IMIS SOLUMENT A	the description of the description with its inclination in the inclination of the description with the inclination of the description of the descr
wages, salary or other	compensation, and is not exempt as a mati	in or control property or money belonging to the detection or money, or the ter of law, you are further commanded to hold the property or money, or the self this Court.
amount shown above	es "Totel," whichever is less, subject to order	By: AMB
Date issued:	CONCOR LONG	By: AMS Deputy Clerk
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•	ained by serving a copy on (Gamishee)	on (Clate) Served
(Date)	Service on (Defendant)	
by:	The state of the s	

State of Alabama

Case Number

Unified Judicial System Form C-21 (Front) Rev. 7/2017 EROCESS OF	GARNISHMENT	74-SM-04-100354	
IN THE SMALL CLAIMS COURT OF TALLADEGA	COUNTY, ALABAMA	And a galage was in require the found found found found for the foundation of the fo	
NAME AND ADDRESS OF PLAINTIFF (Persons Asserting Claim): MERCHANTS FINANCE CO ASSIGNEE TO SAME AS PLAINTIFF'S ATTORNEY'S ADDRESS	NAME AND ADDRESS OF DEFENDANT is Subject to Garnishmer WILLIE O'NEAL 23 Ferry Rd. Ct. Childersburg, AL 35044 SSN-6882	Person Whose Property nt):	
NAME AND ADDRESS OF ATTORNEY FOR PLAINTIFF:	DATE OF JUDGMENT: 12/3/2004	WOMENS WINDOWN DATES SERVE TO ME TO A THE SERVE OF T	
Schwartz & McClure, LLC	JUDGMENT AMOUNT: \$ \$802.54	venement error eleveralism of hilling and help angenes to a so the convenement and antiched debid debid and a	
1609 Richard Arrington Jr. Blvd. South Birminghem, AL 35205	INTEREST: \$ \$1,844,86		
NAME AND ADDRESS OF GARNISHEE:	COSTS: \$ \$247.65	100 market	
Ollie's Bargain Outlet Attn: Payroll	LESS CREDIT: \$ \$352.51	nyministra (1930-04) o copy (1930-04) (1930-04) o copy (
6295 Alientown Blvd., Suite 1	OTHER: \$		
Hattiesburg, PA 17112	TOTAL: \$ \$2,842.54		
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or has or will have effects of the defendant under the gemished is necessary to obtain satisfaction of the judgment. B. If the garnishment is for wages, salary or other compensation [X] 25% of disposable earnings for the week OR the amfederal minimum hourly wage in effect at the time the effected minimum hourly wage in effect at the time the compliance with the instructions on the reverse side of the compliance with the instructions on the reverse side of the compliance with the instructions on the reverse side of the compliance with the instructions on the reverse side of the compliance with the instructions on the reverse side of the compliance with the instructions on the reverse side of the compliance with the instructions on the reverse side of the compliance with the instructions on the reverse side of the compliance.	i, I further make oath that the amount to be will tount by which disposable earnings for the varings are payable, WHICHEVER IS LESS, tount by which disposable earnings for the varieties are payable, WHICHEVER IS I this from.	thheid must be: week exceed 30 times the week exceed 50 times the	
Sworn to and subscribed before me this	· ·		
Jayor September 2018	2	3	
Notary Public/Clerk (Signature) Exp: 10/11/2	Affiant/Attorney (Signature)	to the an interesticated prints of party and prints of the prints of the interestive to the party of the party of the interestive to the interesti	
TO ANY LAW ENFORCEMENT OFFICER OF THE STATE OF ALAB You are hereby commanded to serve this Process of Garnishmen		UTLET	
and a copy on the defendant, WILLIE O'NEAL to this Court.	(Name of g	and make proper return	
NOTICE TO DEFENDANT: READ THE IMPORTANT INFORMATION NOTICE TO GARNISHEE: YOUR ARE THE GARNISHEE IN THE AS You must complete and file the enclosed Answer form within plaintiff can proceed for judgment against you for the amount of the court at the address below constitutes making a proper appearance in (1) Whether you are or will be indebted to the defendant at the time the intervening time, or (2) Whether you will be indebted to the defendant in the future by existing contract you are liable to the defendant for (4) Whether you have in your possession or control, money or effect you are commanded to retain the amount indicated above from	BOVE ACTION. thirty (30) days from service of process, if yo claim, plus costs. Mailing the notarized Answithe Court. YOU MUST ANSWER: ne you received this process, or when you movisting contract, or the delivery of personal property or for the pacts belonging to the defendant.	ou fail to file an Answer, the wer form to the Clerk of the lake your answer, or during syment of money, or	
the defendant for such period of time as is necessary to accumulate costs). You are required, after a period of 30 days from the first retention to begin paying the moneys withheld into court as they are deduced or the full amount is withheld. If employment of the defendant is terminate termination and pay into court within 15 days AFTER termination, all for instructions on Gamishments). If you have in your possession of wages, salary or other compensation, and is not exempt as a matter of amount shown above as "Total," whichever is less, subject to orders of	the sum \$ 2,642,54 on of any sum from the defendants wages, sale withheld and continue to do so on a monthly ad BEFORE the sum is accumulated, you are sums withheld in compliance with this gamis or control property or money belonging to the of law, you are further commanded to hold the fithis Court.	(Judgment and ary, or other compensation, or more frequent basis until required by law to report the himent. (See Reverse Side a defendant, which is NOT to properly or money, or the	
Date Issued: Buam York Clerk Talladega- Sylacauga Division Cour	nly Clerk Deputy Clerk	HOMEONIC CONTINUES AND MICHIGANIC CONTINUES AND CONTINUES AND	
Address: P.Q. Box 183 Sylacauga, AL 35150			
This process was executed by serving a copy on (Gamishee)		on	
(Date) Service on (Defendant)	on (Date)	Served	
by:Tf6a;		mateudoministe and telesia de la constantida del constantida de la constantida de la constantida del constantida de la 	

Form C-21 (back) Ray, 7/2017

PROCESS OF GARNISHMENT

Instructions for Determining the Percentage of Wages, Salary or Other Compensation to be Withheld GARNISHMENTS TO COLLECT JUDGMENTS AFISING FROM SITUATIONS OTHER THAN CONSUMER LOANS, CONSUMER CREDIT SALES OR CONSUMER LEASES ARE SUBJECT TO THE RESTRICTIONS OF \$6-10-7, Code of Alabama 1975, and Tibe 15, \$1673, United States Code (*U.S.C.*).

Under Alabama and federal law, the amount subject to gamishment to collect such judgments shall not exceed the LESSER of:

(1) twenty-five (25) percent of "disposable earnings" for the week: OR
(2) the amount by which "disposable earnings" for the week exceed thirty (30) times the federal minkmum hourly wage in effect at the time the earnings are

payable.

E. GARNISHMENTS TO COLLECT JUDGMENTS ARISING FROM CONSUMER LOANS, CONSUMER CREDIT SALES OR CONSUMER LEASES ARE SUBJECT TO THE RESTRICTIONS OF: §5-19-15, Code of Alabama, 1975 as amended by Act 88-284, effective April 12, 1988, and Act 98-576, effective 5/20/1988.

A. Under this law, if the debt or demand was created ON OR AFTER April 12, 1988, the amount subject to gamashment shall not exceed the LESSER of:

(1) twenty-five (25) percent of "disposable semings" for the week; OR (2) the amount by which "disposable sarrings" for the week exceed thiny (30) times the federal minimum hourty wage in effect at the time the asmings are payable
If the debt or demand was created BEFORE April 12, 1988, the amount subject to garnishment shall not exceed the LESSER of

(1) twenty (20) percent of "disposable earnings" for the week; OR
(2) the amount by which "disposable earnings" for the week exceed fifty (60) times the federal minimum hourly wage in effect at the time the earnings are

payable

DISPOSABLE EARNINGS DEFINED: An employee's "disposable earnings" means that part of earnings of an individual remaining after deduction of amounts required by law to be withheld such as Federal Income Tax Federal Social Security Tax, and State and Local Taxes.

NOTICE TO GARNISHEE

Note: If you have in your possession or control property or money belonging to the defendant (which is not wages, salary or other compensation and is not exempt as a matter of law), you are commanded to hold the property or money, or the amount shown on the other side as "Total," whichever is less, subject to the orders of the Court. Social Security, SSI, VA and federal retirement manage are all exempt under federal law and remain so even when deposited in a bank or other financial Institution. If the only money in your possession or control belonging to the defendent is Social Security, SSI, VA or federal retirement moneys, you should indicate in your answer "all such money is exempt from execution." The formula outlined below only applies if the property sought to be gambished is wages, eatary or other in your answer "all such money is exempt from execution." The formula outlined below only applies if the property sought to be gambished is wages, eatary or other compensation of the defendant.

(Use the following formula to calculate a gambianant of wages, salary or other compensation)

Calculate "disposable earnings" for the week (see definition of disposable earnings" above)

If the twenty-five (25) percent block is checked on the front of this form, multiply the "disposable earnings" amount by twenty-five (25) percent. Then multiply the is any enterty rate (e.g.) percent course of the time of the carrings are payable by you) by thirty (30) and subtract this amount from "disposable parnings." Compare "minimum wage amount" (in effect at the time the carrings are payable by you) by thirty (30) and subtract this amount from "disposable parnings." Compare these two and chiain lesser arroant.

(3) If the twenty (20) percent block is checked on the front of this form, multiply the "disposable earnings" amount by twenty (20) percent. Multiply the "minimum wage amount" (in affect at the time the earnings are payable by you) by fifty (50) and subtract this amount from "disposable earnings," Compare these two and

After the calculation is made in accordance with (3) or (3) above (whichever is applicable), the amount of the gamistrient for the week is the LESSER amount. Withhold this amount and pay it into Court as instructed in the "Writ of Gamistrient" on the front of this form.

THE CLERK AND OTHER COURT PERSONNEL CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED ASSISTANCE YOU SHOULD CONSULT A LAWYER THE CLERK AND OTHER COURT PERSONNEL CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED ASSISTANCE YOU SHOULD CONSULT A LAWYER.

PROTECTION AGAINST DISCHARGE: Title 15, §1674, U.S.C., prohibits an employer from discharging any employee because his or her earnings have been subjected to garnishment for any one indebtedness.

NOTICE TO DEFENDANT OF RIGHT TO CLAIM EXEMPTION FROM GARNISHMENT

A process of garnishment has been delivered to you. This means that a Court may order your wages, money in a bank, sums owned to you, or other property belonging to you, to be paid into Court to satisfy a judgment against you.

Laws of the State of Alabama and of the United States provide that in some circumstances certain money and property may not be taken to pay certain types of court judgments, because certain money or properly may be "exempt" from gardishment. For example, under State law, in some circumstances, up to \$7,500.00 in personal property, including money (except wages, salaries, or other compensation), bank accounts, automobiles, appliances, etc. may be exempt from process of personal property, around priving persons are seen entered or over compensations, as a compensation of any personal resonance of the personance of the personance of the personal resonance of the personal resonance of the personal resonance of the personance of the per Secretary secretary in the control of the secretary payments. See payments, veleran's benefits, AFDC (welfare) payments, unamployment companished payments, and payments.

THESE EXAMPLES ARE FOR PURPOSES OF ILLUSTRATION ONLY. WHETHER YOU WILL BE ENTITLED TO CLAIM ANY EXEMPTION FROM THE PROCESS OF GARNISHMENT, AND, IF SO, WHAT PROPERTY MAY BE EXEMPT, WILL BE DETERMINED BY THE FACTS IN YOUR PARTICULAR CASE, IF YOU ARE UNCERTAIN AS TO YOUR POSSIBLE EXEMPTION RIGHTS, YOU SHOULD CONSULT A LAWYER FOR ADVICE.

TO CLAIM ANY EXEMPTION THAT MAY BE AVAILABLE TO YOU, YOU MUST PREPARE A "CLAIM OF EXEMPTION" FORM LISTING ON IT ALL YOUR WAGES AND PERSONAL PROPERTY; HAVE THE CLAIM OF EXEMPTION NOTARIZED; AND FILE IT IN THE CLERK'S OFFICE. ALSO, IT IS YOUR WAGES AND PERSONAL PROPERTY; HAVE THE CLAIM OF EXEMPTION NOTARIZED; AND FILE IT IN THE CLERK'S OFFICE. ALSO, IT IS YOUR DESCRIPTION TO THE DESCRIPTION TO THE DESCRIPTION OF DESCRIPTION TO THE DESCRIPTION OF THE PROPERTY AND THE WADES AND FERSIONAL PROFESSION OF THE CLAIM OF EXEMPTION TO THE PLAINTIFF WHO HAS A JUDGMENT AGAINST YOU. YOU MUST RESPONSIBILITY TO MAIL OR DELIVER A COPY OF THE CLAIM OF EXEMPTION TO THE PLAINTIFF WHO HAS A JUDGMENT AGAINST YOU. YOU MUST INDICATE ON THE CLAIM OF EXEMPTION THAT YOU FILED IN THE CLERK'S OFFICE WHETHER YOU MAILED OR DELIVERED THE COPY TO THE PLAINTIFF AND THE DATE ON WHICH YOU MAILED OR DELIVERED IT. THE CLERK CANNOT GIVE YOU LEGAL ADVICE. IF YOU NEED ASSISTANCE, YOU SHOULD SEE

If you file a claim of exemption, the plaintiff will have approximately ten (10) days to file a "contest" of your claim of exemption. If a contest is filed, a Court hearing will be scheduled and you will be notified of the time and place of the hearing. If the plaintiff does not file a contest, the property claimed by you as exempt will be released

If you do not file a claim of exerciption, your property may be terned over to the court and to the plaintiff on the judgment against you. from the germishuners.

TO PROTECT YOUR RIGHTS, IT IS IMPORTANT THAT YOU ACT PROMPTLY. IF YOU HAVE ANY QUESTIONS, YOU SHOULD CONSULT A LAWYER

HOTICE TO PLAINTIFF OF RIGHT TO CONTEST CLAIM OF EXEMPTION OF DEFENDANT

If a "Claim of Exemption" is Bied in the Clerk's uffice and mailed or delivered to you by the defendant, you have approximately ten (10) days to file a "Contest" to the Claim of Exemption with the Clark of the Court.

If a Contest is timely filed, a Court hearing will be scheduled within seven (7) calendar days (or on the next business day thereafter if the Court is not open on the seventh day). You and the defendant will be notified of the time and place of the hearing

If you fall to make timely Contest of the Claim of Exemption, after fitteen (15) calendar days from the filling of such date by the defendant, the Process of Gamistiment and any will of garnelment bested therein shall be dismissed or, where appropriate, modified to the extent necessary to give effect to the dained exemptions.

IF YOU ARE UNCERTAIN AS TO HOW TO FILE A CONTEST TO THE CLAIM OF EXEMPTION, YOU SHOULD CONSULT A LAWYER FOR ADVICE, THE CLERK AND OTHER COURT PERSONNEL CANNOT GIVE YOU LEGAL ADVICE.